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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,999	03/19/2004	Miki Takahashi	Q80517	6919
23373	7590	05/02/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			LEE, SIN J	
			ART UNIT	PAPER NUMBER
			1752	

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,999

Applicant(s)

TAKAHASHI ET AL.

Examiner

Sin J. Lee

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the amendment of February 15, 2006, previous 102(b) rejection on claims 2-19 over Tan et al (JP'635) is hereby withdrawn.
2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

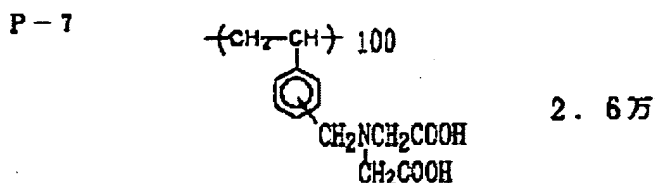
Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

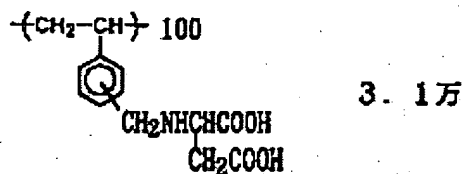
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 2-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tan et al (JP 11-038635 and its full English translation provided by PTO).

Art Unit: 1752

Tan teaches a positive type photosensitive lithographic printing plate, which is made by forming a middle layer containing polymer compound having specified repeating units (1), (2), or (3) on an aluminum substrate (which has undergone hydrophilicizing treatment) and then forming a positive type photosensitive layer (which contains alkaline soluble polymer such as polyhydroxy styrene, o-quinone diazido compound, printout agent, dyes and others) on the middle layer (see abstract, claim 1, [0040], [0041], [0052] of English translation). Tan teaches that his photosensitive layer can be imaged with infrared rays and he also teaches the use of semiconductor laser (see [0065] of English translation). As one of examples for the repeating units (1), (2) or (3), Tan lists the following (see [0021])



, and this repeat unit is exemplified in Tan's working example 3 as well (see Table 1 in [0092]). Tan teaches ([0019]) that the repeat unit (1), (2) or (3) is present in his polymer in the amount of more than 40 mol% preferably. Tan also teaches ([0023]) that his polymer has Mw of 2,000-600,000 preferably. Tan also teaches the amount of coating for his middle layer to be 5-50 mg/m² preferably (see [0026]). Tan also discloses the following repeating unit as well



Art Unit: 1752

as one of examples for the repeating units (1), (2) or (3) (see [0021]). Tan teaches that his polymer containing the repeating units of formula (1), (2) or (3) can be a homopolymer as well as a copolymer (see [0012]).

Therefore, Tan teaches present inventions of claims 2-19 except for the present limitation with respect to the polymer further containing an onium group and/or an acidic group.

Takita et al teaches a positive working photosensitive lithographic printing plate comprising an aluminum substrate (which has been anodized and rendered water-wettable), an intermediate layer and a positive working photosensitive layer, wherein the intermediate layer contains a polymer comprising unit A and unit B (see abstract and pg.3, lines 19-21). By using such an intermediate layer, Takita teaches that one can obtain a good adhesion between the photosensitive layer and the water-wettable aluminum substrate so that a printing plate having a satisfactory press life can be obtained (see abstract). Takita teaches that the particularly preferably, the unit A contains –COOH group (see pg.3, lines 34-38). Also, Takita teaches that the unit B has an onium group (see pg.6, lines 56-58). Since Tan's middle layer polymer already contains a repeating unit having –COOH groups and since Tan teaches that his middle layer polymer can be a copolymer, it would have been obvious to one skilled in the art to further include a repeat unit containing an onium group in Tan's middle layer polymer in order to obtain a good adhesion between the photosensitive layer and the aluminum substrate (which has undergone hydrophilicizing treatment) so as to obtain a printing plate having a satisfactory press life as taught by Takita. Takita also teaches (pg.9,

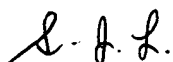
Art Unit: 1752

lines 4-6) that the intermediate polymer con comprises two or more kinds of unit A and two or more kinds of unit B. Therefore, it would also have been obvious to one skilled in the art to further include another repeat unit containing –COOH group in Tan's middle layer polymer with a reasonable expectation of obtaining a printing plate having a satisfactory press life as taught by Takita. Therefore, Tan in view of Takita would render obvious present inventions of claims 2-19.

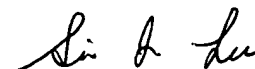
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



S. Lee
April 30, 2006


SIN LEE
PRIMARY EXAMINER